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10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-244

13 SUDA TANGSERMWONGSE  
800 Lexington Avenue  
14 Redlands, CA 92374

**A C C U S A T I O N**

15 Registered Nurse License No. 376671

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation  
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing  
22 ("Board"), Department of Consumer Affairs.

23 2. On or about August 31, 1984, the Board issued Registered Nurse License  
24 Number 376671 to Suda Tangsermwongse ("Respondent"). Respondent's registered nurse  
25 license was in full force and effect at all times relevant to the charges brought herein and will  
26 expire on October 31, 2009, unless renewed.

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1 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
2 and enforcement of the case.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Gross Negligence)**

5 9. At all times herein mentioned, Respondent was employed as a labor and  
6 delivery nurse at Redlands Community Hospital, Redlands, California (hereinafter "hospital").

7 10. On or about January 22, 2006, a 17 year old female patient was admitted  
8 to the Labor and Delivery Unit at the hospital for onset of labor at 39 weeks gestation.

9 11. Respondent is subject to disciplinary action pursuant to Code section  
10 2761, subdivision (a)(1), on the grounds of unprofessional conduct, in that on or about January  
11 23, 2006, while on duty as the charge nurse in the Labor and Delivery Unit, Respondent was  
12 guilty of gross negligence within the meaning of Regulation 1442, as follows:

13 a. Respondent failed to identify the patient's uterine hyperstimulation<sup>1/</sup> in a  
14 timely manner, and allowed the contractions to remain every 1 to 1½ minutes apart long before  
15 giving the patient Terbutaline to space the contractions apart.

16 b. Respondent failed to ensure a continuous tracing of the fetal heart rate,  
17 preventing Respondent from appreciating the severity of the late decelerations and fetal distress.

18 c. Respondent failed to document fetal heart tones every 5 minutes during the  
19 second stage of labor (when the patient was completely dilated) per the hospital policy's on Fetal  
20 Heart Rate Assessment.

21 d. Respondent failed to identify and appropriately document fetal intolerance  
22 to labor.

23 e. Respondent failed to notify the physician of the non-reassuring fetal heart  
24 rate pattern, including late decelerations.

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27 1. Hyperstimulation of the uterus occurs when the uterine contractions are closer than every 2  
28 minutes apart. Contractions every 2 minutes apart allow the uterus and fetus to rest between  
contractions and usually prevent distress or hyperstimulation, which can affect the uterus, placental  
integrity, and fetal well-being.

1 f. Respondent failed to initiate the chain of command if the physician was  
2 not responding appropriately to a report of non-reassuring fetal heart rate pattern.<sup>2/</sup>

3 g. Respondent failed to summon help when she was having trouble with the  
4 fetal heart rate tracing and the internal scalp electrode.

5 h. Respondent failed to accurately describe to her supervisors the events  
6 which took place on the day of the incident, including when the physician was present in the  
7 patient's room during the second stage of labor (Respondent told management that the physician  
8 was in the room for 2 hours prior to the infant's birth when, in fact, the physician was not present  
9 the entire time. Respondent subsequently changed her story and stated that the physician was in  
10 the room only occasionally).

11 i. Respondent failed to ensure the safety of the patient while assigned as the  
12 charge nurse on the unit.

13 j. Respondent failed to notify management that the unit was understaffed  
14 during her shift.<sup>3/</sup>

## 15 **SECOND CAUSE FOR DISCIPLINE**

### 16 **(Incompetence)**

17 12. Complainant incorporates by reference as though fully set forth herein the  
18 allegations contained in paragraphs 9 and 10 above.

19 13. Respondent is subject to disciplinary action pursuant to Code section  
20 2761, subdivision (a)(1), on the grounds of unprofessional conduct, in that on or about January  
21 23, 2006, while on duty as the charge nurse in the Labor and Delivery Unit at the hospital,

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25 2. Respondent claims that the physician was at the patient's bedside at various times during the  
26 second stage of labor. If this was, in fact, the case, Respondent should have informed the physician of  
27 the fetal monitor strip and asked him if they needed to perform a caesarean section. If the physician did  
28 not respond appropriately to Respondent, she should have gone to the house supervisor, manager, or  
director of the department or the director of obstetrics.

3. Respondent claims that the unit was understaffed on the day of the incident; however, there  
were no reports to management or documentation of any unsafe conditions.

1 Respondent's conduct and unacceptable levels of performance amounted to incompetence within  
2 the meaning of Regulation 1443, as set forth in paragraph 11 above.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(Unprofessional Conduct)**

5 14. Complainant incorporates by reference as though fully set forth herein the  
6 allegations contained in paragraphs 9 and 10 above.

7 15. Respondent is subject to disciplinary action pursuant to Code section  
8 2761, subdivision (a), in that on or about January 23, 2006, while on duty as the charge nurse in  
9 the Labor and Delivery Unit at the hospital, Respondent committed acts constituting  
10 unprofessional conduct, as set forth in paragraph 11 above.

11 **PRAAYER**

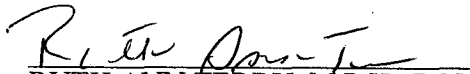
12 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
13 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

14 1. Revoking or suspending Registered Nurse License Number 376671, issued  
15 to Suda Tangsermwongse;

16 2. Ordering Suda Tangsermwongse to pay the Board of Registered Nursing  
17 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
18 Professions Code section 125.3;

19 3. Taking such other and further action as deemed necessary and proper.

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21 DATED: 4/17/09

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RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant  
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